IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.3667 OF 2005

IN

APPEAL (L) NO.1087 OF 2005

...

Mr.Munesh Ralhan alias Ricky Ralhan ...Appellant

v/s.

Smt.Rupali Shah alias Rupali Pradeep Shah & ors. ...Respondents

...

Mr.Anuj Narula i/b M/s.Jhangiani, Narula & Associates for the Appellant.

Mr.S.C.Gangan i/b RMG Law Associates for the Respondents.

...

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 19TH JULY, 2007

P.C.:

1. Heard learned Counsel for both sides. Motion granted in terms of prayer clause (a).

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

APPEAL (L) NO.1087 OF 2005

IN

NOTICE OF MOTION NO.1139 OF 2001

...

Mr.Munesh Ralhan alias Ricky Ralhan ...Appellant

v/s.

Smt.Rupali Shah alias Rupali Pradeep Shah & ors. ...Respondents

...

Mr.Anuj Narula i/b M/s.Jhangiani, Narula & Associates for the Appellant.

Mr.S.C.Gangan i/b RMG Law Associates for the Respondents.

...

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 19TH JULY, 2007

P.C.:

1. Heard the learned Counsel for both sides. In our opinion, in view of the fact that the parties are related to each other and also considering the order passed by the learned single Judge, which is impugned in the Appeal, following order would meet the ends of justice.

O R D E R

i) Liberty is granted to the Appellant to make a prayer for prosecuting the Respondent/Plaintiff for perjury at the final hearing of the suit, and in case such a prayer is made it shall be considered on its own merits without being influenced by the order impugned in the Appeal;

ii) It appears that there were other prayers made in the Notice of Motion No.1139 of 2001, but those prayers have not been considered by the learned

single Judge and therefore, the Appellant shall be at liberty to take out a fresh Notice of Motion in relation to those prayers, and in case such a motion is taken out it shall be considered on its own merits ignoring the fact that the same prayers were made in the Notice of Motion No.1139 of 2001. Appeal disposed of.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)